

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nathan W. Levin, Daniel Schneditz, and Fansan Zhu  
Serial No. : 10/089,831  
Filed : April 4, 2002  
For : METHODS AND APPARATUS FOR MEASURING THE  
VOLUME OF FLUID IN THE PERITONEAL CAVITY  
Examiner : M. Hayes  
Group : 3763

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the following correspondence attached hereto is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

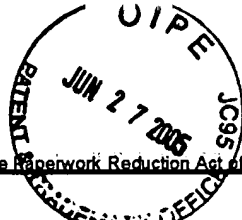
1. Certificate of Mailing (1 page, this page)
2. Transmittal Form (PTO/SB/21; 1 page)
3. Amendment (18 pages; with attached Exhibit A)
4. Fee Transmittal Form (PTO/SB/17; 1 page; 2 copies)
5. Check for \$50.00
6. Return Receipt Postcard (1 card)

Date Mailed:

June 22, 2005

6/22/05  
Date Signed

Maurice Klee  
Maurice M. Klee, Ph.D.



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/089,831

Filing Date

April 4, 2002

First Named Inventor

Levin

Art Unit

3763

Examiner Name

M. Hayes

Attorney Docket Number

BET-105US

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):Certificate of Mailing  
Return Receipt Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Maurice M. Klee, Ph.D.

Signature

*Maurice Klee*

Printed name

Maurice M. Klee, Ph.D.

Date

6/22/05

Reg. No.

30,399

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*Maurice Klee*

Typed or printed name:

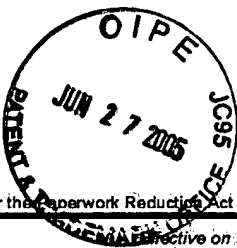
Maurice M. Klee, Ph.D.

Date

6/22/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04v2)  
Approved for use through 07/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$50.00

### Complete if Known

Application Number	10/089,831
Filing Date	April 4, 2002
First Named Inventor	Levin
Examiner Name	M. Hayes
Art Unit	3763
Attorney Docket No.	BET-105US

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 11-1158 Deposit Account Name: Maurice M. Klee, Ph.D.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

Fee (\$): 50 Small Entity Fee (\$): 25

Each independent claim over 3 (including Reissues)

Fee (\$): 200 Small Entity Fee (\$): 100

Multiple dependent claims

Fee (\$): 360 Small Entity Fee (\$): 180

Total Claims Extra Claims Fee (\$): Fee Paid (\$):  
40 - 39 - 2000 HP = 1 x 50.00 = 50.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$): Fee Paid (\$):  
4 - 4 - 2000 HP = - x - = -

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$): Fee Paid (\$):  
- 100 = / 50 = (round up to a whole number) x =

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge):

### SUBMITTED BY

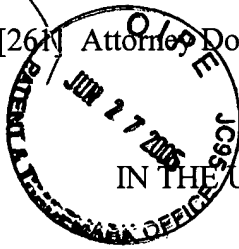
Signature	Maurice Klee	Registration No.	30,399	Telephone	(203) 255-1400
Name (Print/Type)	Maurice M. Klee, Ph.D.	(Attorney/Agent)		Date	6/22/05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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[261] Attorney Docket No. : BET-105US

PATENT



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### AMENDMENT

This Amendment is submitted in response to the Office Action dated March 22, 2005. Its contents are:

- (1) a listing of the claims of the application which includes the amendments to the claims being made by this Amendment -- page 2; and
- (2) applicants' Remarks -- page 15.

No extension of time is believed to be necessary for the filing of this Amendment, but if an extension of time is required, applicants request that this be considered a petition therefor. The Director is hereby authorized to charge any fees which may be required for such an extension to Deposit Account No. 11-1158.

Submitted herewith is a check for \$50.00 for the additional dependent Claim 40 being added by this Amendment. The Director is hereby authorized to charge any additional fees which may be required for this Amendment to Deposit Account No. 11-1158.

06/29/2005 FFANAI2 00000003 10089831

01 FC:1202

50.00 DP